

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GOHMERT OF TEXAS, OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES:

112
revised

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF MARCH 22, 2006
OFFERED BY MR. GOHMERT OF TEXAS**

Page 31, beginning on line 20, strike subsection (f)
and insert the following:

1 (f) OUTCOMES AND ACTIONS.—

2 (1) RESPONSE FROM INSTITUTION.—Effective
3 on June 30, 2010, an institution that has a college
4 affordability index that exceeds 2.0 for any 3-year
5 interval ending on or after that date shall provide a
6 report to the Secretary, in such a form, at such
7 time, and containing such information as the Sec-
8 retary may require. Such report shall include—

9 (A) a description of the factors contrib-
10 uting to the increase in the institution's costs
11 and in the tuition and fees charged to students;
12 and

13 (B) if determinations of tuition and fee in-
14 creases are not within the exclusive control of
15 the institution, a description of the agency or
16 instrumentality of State government or other
17 entity that participates in such determinations



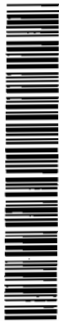
1 and the authority exercised by such agency, in-
2 strumentality, or entity.

3 (2) QUALITY-EFFICIENCY TASK FORCES.—

4 (A) REQUIRED.—Each institution subject
5 to paragraph (1) that has a college affordability
6 index that is in the highest 5 percent of such
7 indexes of all institutions subject to paragraph
8 (1) shall establish a quality-efficiency task force
9 to review the operations of such institution.

10 (B) MEMBERSHIP.—Such task force shall
11 include administrators and business and civic
12 leaders and may include faculty, students,
13 trustees, parents of students, and alumni of
14 such institution.

15 (C) FUNCTIONS.—Such task force shall
16 analyze institutional operating costs in compari-
17 son with such costs at other institutions within
18 the class of institutions. Such analysis should
19 identify areas where, in comparison with other
20 institutions in such class, the institution oper-
21 ates more expensively to produce a similar re-
22 sult. Any identified areas should then be tar-
23 geted for in-depth analysis for cost reduction
24 opportunities.



1 (D) REPORT.—The results of the analysis
2 by a quality-efficiency task force under this
3 paragraph shall be included in the report to the
4 Secretary under paragraph (1).

5 (3) CONSEQUENCES FOR 2-YEAR CONTINUATION
6 OF FAILURE.—If the Secretary determines that the
7 institution ~~has failed to comply with the manage-~~
8 ~~ment plan and action plan submitted by the institu-~~
9 ~~tion under this subsection following the next 2 aca-~~
10 ~~demic years that begin after the submission of such~~
11 ~~plans, and~~ has failed to reduce the college afford-
12 ability index below 2.0 for such 2 academic years,
13 the Secretary shall place the institution on an af-
14 fordability alert status and shall make the informa-
15 tion regarding the institution's failure available in
16 accordance with subsection (d).

17 (4) INFORMATION TO STATE AGENCIES.—Any
18 institution that reports under paragraph (1)(A) that
19 an agency or instrumentality of State government or
20 other entity participates in the determinations of tui-
21 tion and fee increases shall, prior to submitting any
22 information to the Secretary under this subsection,
23 submit such information to, and request the com-
24 ments and input of, such agency, instrumentality, or
25 entity. With respect to any such institution, the Sec-



1 retary shall provide a copy of any communication by
2 the Secretary with that institution to such agency,
3 instrumentality, or entity.

4 (5) EXEMPTIONS.—

5 (A) RELATIVE PRICE EXEMPTION.—The
6 Secretary shall, for any 3-year interval for
7 which college affordability indexes are computed
8 under paragraph (1), determine and publish the
9 dollar amount that, for each class of institution
10 described in paragraph (6) represents the max-
11 imum tuition and fees charged for a full-time
12 undergraduate student in the least costly quar-
13 tile of institutions within each such class during
14 the last year of such 3-year interval. An institu-
15 tion that has a college affordability index com-
16 puted under paragraph (1) that exceeds 2.0 for
17 any such 3-year interval, but that, on average
18 during such 3-year interval, charges less than
19 such maximum tuition and fees shall not be
20 subject to the actions required by paragraph
21 (3), unless such institution, for a subsequent 3-
22 year interval, charges more than such maximum
23 tuition and fees.

24 (B) DOLLAR INCREASE EXEMPTION.—An
25 institution that has a college affordability index



1 computed under paragraph (1) that exceeds 2.0
2 for any 3-year interval, but that exceeds such
3 2.0 by a dollar amount that is less than \$500,
4 shall not be subject to the actions required by
5 paragraph (3), unless such institution has a col-
6 lege affordability index for a subsequent 3-year
7 interval that exceeds 2.0 by more than such dol-
8 lar amount.

9 (6) CLASSES OF INSTITUTIONS.—For purposes
10 of this subsection, the classes of institutions shall be
11 those sectors used by the Integrated Postsecondary
12 Education Data System, based on whether the insti-
13 tution is public, nonprofit private, or for-profit pri-
14 vate, and whether the institution has a 4-year, 2-
15 year, or less than 2-year program of instruction.

16 (7) DATA REJECTION.—Nothing in this sub-
17 section shall be construed as allowing the Secretary
18 to reject the data submitted by an individual institu-
19 tion of higher education.

Page 37, after line 2, insert the following new sub-
section (and redesignate the succeeding subsections ac-
cordingly):

20 “(g) INFORMATION TO THE PUBLIC.—Upon receipt
21 of an institution’s report required under subsection (f), the
22 Secretary shall make the information in the report avail-



- 1 able to the public in accordance with subsection (d) on
- 2 the COOL website under subsection (b).

Page 262, beginning on line 19, strike paragraph (1)
and redesignate the succeeding paragraphs accordingly.

